

**ORDINANCE NO. 2011-10**

**AN ORDINANCE TO AMEND THE  
TOWN OF WINDSOR COMPREHENSIVE PLAN: 2025**

**WHEREAS**, Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes set out the requirements for long-range comprehensive planning for towns, villages, and cities across the State; and,

**WHEREAS**, the Windsor Town Board, after complying with all statutory requirements, adopted an ordinance approving the Town of Windsor Comprehensive Plan: 2025; and,

**WHEREAS**, PC Farm Holdings, II, LLC, the developer of the Bear Tree Development in the Town of Windsor and representatives of the Village of DeForest and the Town of Windsor, have proposed to rezone a portion of the property known as Bear Tree Windsor to "Neighborhood Mixed Use," to allow for office and commercial uses on the property; and

**WHEREAS**, the Town of Windsor Comprehensive Plan: 2025 identifies the subject parcel as "Transition Residential," which is inconsistent with the proposed zoning; and

**WHEREAS**, the surrounding area is compatible with the proposed use for the subject parcel; and

**WHEREAS**, the proposed use would be consistent with the "Neighborhood Mixed Use" designation in the Town of Windsor Comprehensive Plan: 2025;

**WHEREAS**, the Town Board of the Town of Windsor has adopted and followed written procedures designed to foster public participation at every stage of the preparation of this amendment containing all of the elements specified in Wis. Stats. § 66.1001(4)(a); and

**WHEREAS**, the Plan Commission of the Town of Windsor, by a majority vote of the entire Commission recorded in its official minutes on July 26, 2011, has adopted a Resolution recommending to the Town Board the adoption of this amendment pursuant to Wis. Stats. § 66.1001(4)(b); and

**WHEREAS**, the Windsor Town Board has conducted a public hearing on August 24, 2011 to take public comments regarding these amendments to the Town of Windsor Comprehensive Plan: 2025;

**NOW, THEREFORE**, the Town Board of the Town of Windsor, Dane County, Wisconsin do ordain as follows:

1. The Town of Windsor Comprehensive Plan: 2025 is hereby amended to place the subject property identified on Exhibit A, attached hereto, in the "Neighborhood Mixed Use" District.
2. The Town of Windsor Comprehensive Plan: 2025, as amended and documented in the minutes of Windsor Plan Commission on July 26, 2011 and as set forth on the attached Exhibit A is hereby adopted.

The above and foregoing Ordinance was duly adopted at a regular meeting of the Town Board of the Town of Windsor on the 24<sup>th</sup> day of August, 2011.

**TOWN OF WINDSOR**

Robert E. Wipperfurth  
Robert E. Wipperfurth, Town Board Chairperson

Donald G. Madelung  
Donald G. Madelung, Supervisor

Alan Buchner  
Alan Buchner, Supervisor

Bruce R. Stravinski  
Bruce R. Stravinski, Supervisor

Monica M. Smith  
Monica M. Smith, Supervisor

ATTEST:

Tina A. Butteris  
Tina A. Butteris  
Finance Officer/Clerk-Treasurer





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## STAFF REPORT

DATE:	August 24, 2011
TO:	Town of Windsor Board
CC:	Tina Butteris - Town Clerk / Treasurer Amy Anderson Schweppe - Planning and Development Coordinator Larry Bechler - Town Attorney Kevin Richardson - Town Engineer
FROM:	Larry Witzling, Erin Ruth - Town Planners
RE:	Comprehensive Plan Amendment related to Bear Tree Development

### OVERVIEW

Since last fall Town staff has been working in collaboration with Village of DeForest staff and the Bear Tree development team on the preparation of a preliminary development plan for Bear Tree. The plan commission was briefed on the progress of the plan at the Joint Town/Village Plan Commission meeting on May 24, 2011. Since that meeting, the development team and both staffs have continued to collaborate on revisions to the plan.

This collaborative process has introduced a number of positive changes to the plan since it was last formally before the plan commission as a plat review in early 2010. One of those changes is the introduction of office and commercial uses into Bear Tree Windsor, where prior versions of the plat were exclusively residential. Currently, the entire Bear Tree Windsor area is designated as 'Transition Residential' in the Town Comprehensive Plan. This land use district does not allow office or commercial uses.

The applicants are requesting an amendment to the comprehensive plan's Future Land Use Map to change portions of the Bear Tree Windsor area from 'Transition Residential' to a district that will accommodate those uses. In consultation with Town Staff, it has been determined that 'Neighborhood Mixed Use' is the most appropriate land use category.

The proposed amendment includes the map change described above (see the illustration below) and associated text changes related to the land use designation, the Bear Tree area, and the intergovernmental process between the Town and the Village of DeForest, as follows:

### PROPOSED TEXT AMENDMENTS

The following sections outline the proposed changes (identified by chapter title, page, column, and paragraph, as applicable) to the **"Town of Windsor Comprehensive Plan: 2025."** Proposed text is underlined. Deleted text is shown as ~~struck-through~~.

#### Intergovernmental Cooperation

Pg. 68, 3rd column, 1st paragraph under heading 'Cooperative Planning Process' - "In 2009 and 2010, the Village of DeForest and the Town of Windsor participated in extensive and amicable intergovernmental discussions to develop a "cooperative boundary plan" pursuant to section 66.0307, Wisconsin Statutes. As a result, the 'Village of DeForest/Town of Windsor Cooperative Plan', formulated pursuant to 66.0307, was approved by both communities on June 23, 2011. This new cooperative plan is intended to replace the 2004 Settlement Agreement between the communities.



Page 69, 1st column, 3rd bullet point – “Proposed 20-year (30-year if particular conditions of the cooperative plan are met) Village and Town municipal boundaries, depicted on the map in Appendix H.”

Page 69, 3<sup>rd</sup> column, new policy – “Pursue extra-territorial zoning with the Village of DeForest in select locations, and under conditions, deemed appropriate by the Town Board.”

Page 69, 3rd column, new policy – “Consider change to Town of Windsor/Village of DeForest boundary, shifting boundary to centerline of Pederson Crossing in the Bear Tree subdivision area.”

#### Land Use

Page 76, 1st column, 1st paragraph – “A few areas in the Town are appropriate for a mix of commercial and residential land uses. They are designated on the Future Land Use Map along portions of Windsor Road and CTH CV, northwest of the intersection of Windsor Road and US 51, in portions of Bear Tree Windsor along Pederson Crossing, and at the major crossroads in Morrisonville.”

Page 79, 2nd column, 1st paragraph under heading ‘Areas Where Future Development is Subject to the DeForest-Windsor Cooperative Plan’ – “Bear Tree Subdivision. Development of the Bear Tree subdivision shall be subject to the conditions of the 2010 Cooperative Plan between the Town and the Village of DeForest, as that plan shall be amended from time to time. The Town has no objection to the proposed land uses within the portions of Bear Tree located in the Village of DeForest, as shown on the Future Land Use Map.”

#### Future Land Use Map

See attached map for proposed amendments.

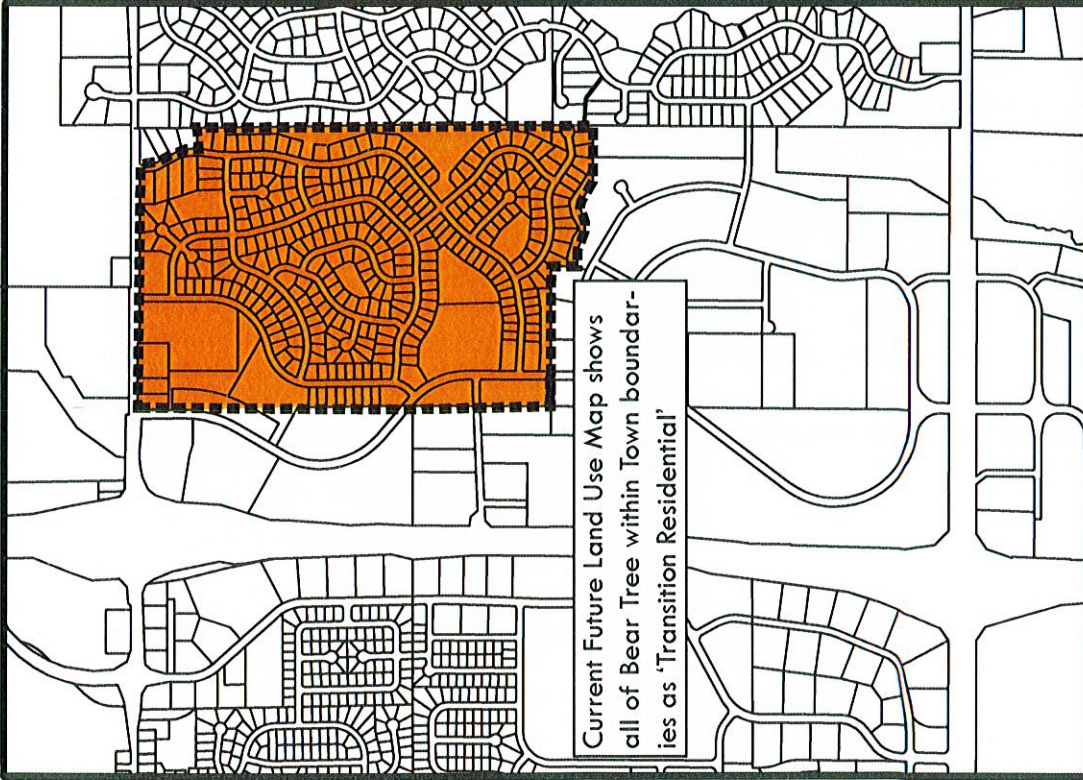
#### STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed amendments to the Town of Windsor Comprehensive Plan.

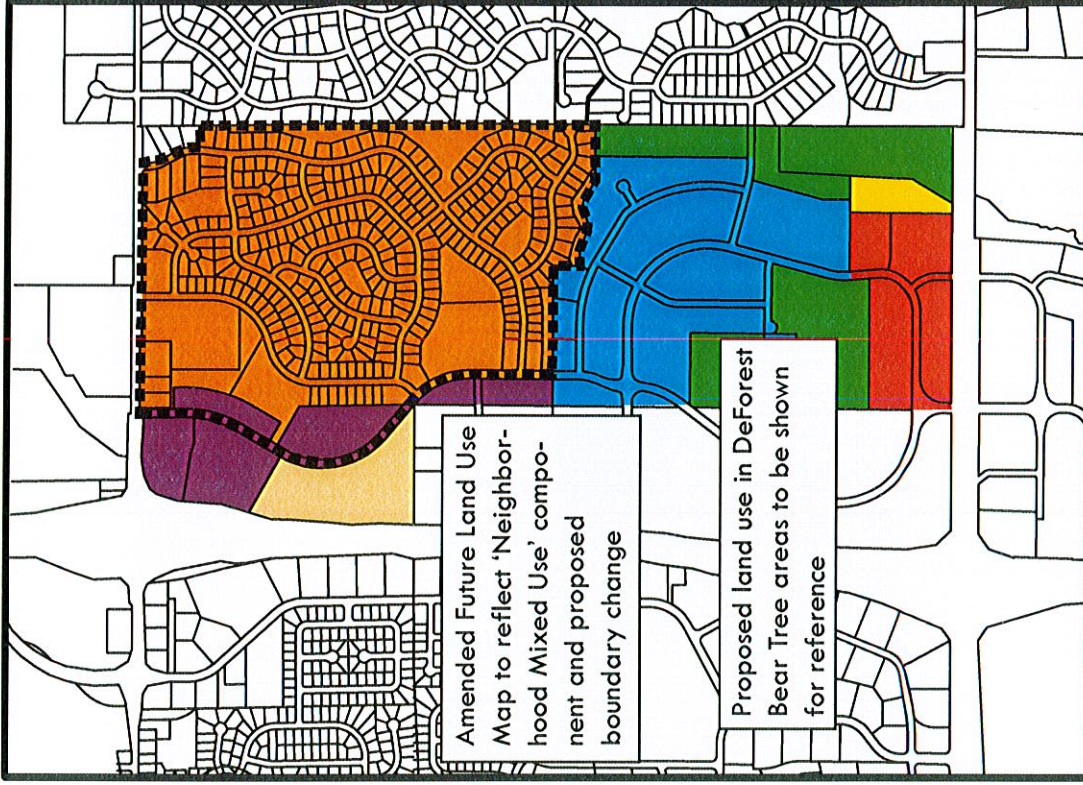
#### PLAN COMMISSION ACTION

At their July 26, 2011 meeting, the Town Plan Commission recommended APPROVAL of the proposed amendments to the Town of Windsor Comprehensive Plan. There were no conditions to the approval.













**EXISTING FUTURE LAND USE  
IN BEAR TREE DEVELOPMENT**



**PROPOSED FUTURE LAND USE  
IN BEAR TREE DEVELOPMENT**

- |   |                                 |   |                                  |   |                                    |
|---|---------------------------------|---|----------------------------------|---|------------------------------------|
|  | TRANSITION RESIDENTIAL          |  | MIXED RESIDENTIAL                |  | REGIONAL COMMERCIAL                |
|  | NEIGHBORHOOD MIXED USE          |  | CORPORATE PARK                   |  | ENVIRONMENTAL PRESERVATION & PARKS |
|  | TRAD. SINGLE FAMILY RESIDENTIAL |  | BEAR TREE WITHIN TOWN OF WINDSOR |   |                                    |